IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT

JODHPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 7117/2005

(Lt. Col. S.K. Isawe Vs. Union of India & Ors.)

Date of Order : 01/02/2007

PRESENT

HON'BLE MR. JUSTICE H.R.PANWAR

Mr. S.K.Nanda for the petitioner.
Mr. V.K.Mathur for the respondents.

BY THE COURT:-

Learned counsel for the respondents submits that the instant writ petition has become infructuous.

Learned counsel for the petitioner submits that the petitioner has filed an application under Section 164 (2) of the Army Act before the Central Government and therefore, at this stage, the writ petition has become infructuous, however, the petitioner seeks liberty to file a fresh writ petition if any order adverse to him is passed on the application u/s 164 (2) of the Army Act.

The writ petition is dismissed as having become

infructuous. However, the petitioner will be at liberty to file a fresh writ petition if occasion so arises. Stay petition also stands dismissed.

(H.R.PANWAR),J.

rp